

HOUSE BILL 3157
By Ferguson

AN ACT to amend Tennessee Code Annotated, Title 5,
Chapter 16, Part 1 and Title 6, relative to
annexation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-1-201(f)(1), is amended by deleting the language "by a resolution adopted by a majority vote of its governing body, indicates that it has no interest in annexing the property to be incorporated," and by substituting instead the language "by a resolution adopted by a two-thirds (2/3) majority vote of its governing body, indicates that it has no interest in annexing the property to be incorporated,".

SECTION 2. Tennessee Code Annotated, Section 6-18-103(f)(1), is amended by deleting the language "by a resolution adopted by a majority vote of its governing body, indicates that it has no interest in annexing the property to be incorporated," and by substituting instead the language "by a resolution adopted by a two-thirds (2/3) majority vote of its governing body, indicates that it has no interest in annexing the property to be incorporated,".

SECTION 3. Tennessee Code Annotated, Section 6-58-104(b), is amended by deleting the first and second sentences of subdivision (2) and by substituting instead the following language:

Upon receiving such request, the secretary of state shall promptly appoint a dispute resolution panel consisting of a minimum of three (3) members and a maximum of five (5) members. The secretary of state shall have the discretion to determine the size of the panel.

SECTION 4. Tennessee Code Annotated, Section 5-16-110(a), is amended by deleting subdivision (2) and by substituting instead the following language as a new subdivision (2):

(2) The annexing or incorporating municipality, for and to the extent that it may choose, shall have the exclusive right to provide such facilities within the annexed or incorporated area, and shall manifest such choice by proper resolution or ordinance approved by a two-thirds (2/3) majority of the governing body at its first meeting after the annexation or incorporation.

SECTION 5. This act shall take effect July 1, 2006, the public welfare requiring it.